

**From:** Derek Chen-Becker  
**To:** Microsoft ATR  
**Date:** 12/17/01 10:41pm  
**Subject:** Microsoft Settlement

Hello,

My name is Derek Chen-Becker and I am currently a Graduate student at Washington University in Saint Louis, Missouri. I am writing to voice my concern with the proposed remedy for the Microsoft Anti-trust settlement. Specifically, I feel that the proposed remedy does not in any way recognize the significance of non-commercial works and the importance of maintaining open standards to the process of innovation in the computer industry. The Internet, originally DarpaNet, was conceived on the basis of open standards to ensure interoperability between disparate systems. The proposed remedies would allow Microsoft to leverage its monopoly in the personal computer market to impose de facto standards without requiring that these standards are open for interoperability purposes. Without this requirement, Microsoft can effectively stifle competition in any one area by changing its standards enough to break competing products.

As a graduate student, I am aware of many projects written for non-Microsoft operating systems which are used to allow compatibility between systems. For instance, the Samba project (<http://www.samba.org>) provides network filesystem compatibility between Microsoft and non-Microsoft operating systems. This project is non-commercial and is effectively in the public domain. Section I.1 specifies that all terms be reasonable and non-discriminatory (RAND), but what is RAND for a commercial entity is hardly RAND for a non-profit project composed of volunteers.

I feel that without modifications to the settlement that provide for requirements of open standards, Microsoft will have little incentive to change its current practice of breaking interoperability with non-Microsoft systems.

Thank You,

Derek Chen-Becker

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| Derek Chen-Becker          |
| dwb2@cec.wustl.edu         |
| http://cec.wustl.edu/~dwb2 |
|                             |
| PGP key available on request or from public key servers |
| ID: 21A7FB53               |
| Fngprnt: 209A 77CA A4F9 E716 E20C 6348 B657 77EC 21A7 FB53 |
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